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AUG 02 2004

PATENT

Attorney Docket No. 235.00310101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): FAYRER-HOSKEN et al. ) Group Art No.: 1644  
Serial No.: 10/019,642 ) Examiner: M.E. Szperka  
U.S. 35 U.S.C. 371 Date: February 1, 2002  
Intl. Filing Date: June 30, 2000

For: FERTILITY IMPAIRING VACCINE CONTAINING AVIAN ZONA  
PELLUCIDA PROTEIN AND METHOD OF USE

FACSIMILE TRANSMISSION TO THE PTO

Commissioner for Patents FAX NUMBER: (703) 872-9306  
Attn: MAIL STOP AMENDMENT Total Pages (including cover page): 2  
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The following papers are being transmitted to the Patent and Trademark Office by facsimile transmission: RESPONSE TO RESTRICTION REQUIREMENT (1 PG.)

X Small Entity Status is entitled to be asserted in the above-identified application.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895.

Mueeting, Raasch &amp; Gebhardt, P.A.

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Aug 2, 2004  
Date

By: Victoria A. Sandberg  
Victoria A. Sandberg  
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CERTIFICATE UNDER 37 C.F.R. §1.8: The undersigned hereby certifies that this Facsimile Cover Sheet and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office addressed to the Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of Aug, 2004, at 4:00 pm (Central Time).

Aug 2, 2004  
Date

Signature: Sandy Truehart  
Name: Sandy Truehart

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RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed July 1, 2004, Applicants elect, with traverse, **Group 1 (claims 1-11)**, drawn to a fertility impairing vaccine comprising an avian zona pellucida protein or an immunogenic fragment thereof.

Applicants respectfully request reconsideration of the restrictions in this case and submit that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner.

The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

## CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on this 2 day of Aug., 2004, at 4:00pm (Central Time).

Sandy Truhart  
Name: Sandy Truhart

Date

VAS/sjt

Respectfully submitted for  
**FAYRER-HOSKEN et al.**

By  
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